

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Chad E. Austin

v.

Case No. 19-cv-291-PB

FCI Cumberland, Warden

ORDER

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated April 3, 2019. The pending motions (Doc. Nos. 1 and 3) are denied without prejudice. The clerk's office shall recharacterize this case as a successive § 2255 motion, and transfer this matter to the First Circuit to consider whether Austin may be granted leave to file a second § 2255 motion in this court.

/s/ Paul Barbadoro  
Paul Barbadoro  
United States District Judge

Date: April 20, 2019